

**Notice of Allowability**

Application No.

10/720,230

Examiner

Kim-Kwok CHU

Applicant(s)

MASUI, NARUHIRO

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Request for Reconsideration filed on 9/13/2007.
2. ☒ The allowed claim(s) is/are 14, 15 and 17 which are renumbered as 1-3 respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/584,693.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

***Allowable Subject Matter***

1. Claims 14, 15 and 17 are allowable over prior art.
2. The following is an Examiner's statement of reasons for the indication of allowable subject matter based on Applicant's Remarks filed on 9/13/2007:

As in claim 14, the prior art of record fails to teach or fairly suggest an information recording apparatus having the following features: first sync information generating means for generating first codes that represent first sync patterns for a portion of the sync frames such that each first sync pattern is formed as a space on the recording medium; second sync information~ generating means for generating second codes that represent second sync patterns for the remainder of the sync frames such that each second sync pattern is formed as a mark on the recording medium so as to meet a low-frequency reduction scheme; and data encoding means for generating modulation codes based on the sync frames in which the codes selected by the sync information selecting means are inserted, by modulating the sync frames containing the selected codes in accordance with a predetermined modulation scheme, the data encoding means generating a sequence of recording pulses by converting the modulation codes through a predetermined conversion scheme, and the data encoding means starting outputting the sequence of

recording pulses in accordance with the write-position start signal supplied by the write position signal generating means.

As in claim 17, the prior art of record fails to teach or fairly suggest an information recording medium and information recording apparatus having the following features: sync patterns provided in at least a portion of the sequence of sync frames, the sync patterns providing synchronization on a sync-frame basis, such that each sync pattern has a length in a track direction larger than a length of one of the prepits and a position of each sync pattern matches with a position of at least one of the prepits, and a position of a data mark matches with a position of at least one of the prepits, wherein the recording medium includes a sync prepit of the prepits for one of the sync frames, the sync prepit allowing the information recording apparatus to detect a prepit position signal during the writing of the recording pulses to the recording medium, and the information recording apparatus generates a write-position start signal based on the detected prepit position signal, such that the sync pattern on the track adjacent to the land where the sync prepit is formed, the position of the sync pattern matching with the position of the sync prepit, is formed as a space on the recording medium.

The features indicated above, in combination with the

other elements of the claims, are not anticipated by, nor made obvious over, the prior art of record.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kim CHU whose telephone number is (571) 272-7585 between 9:30 am to 6:00 pm, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen, can be reached on (571) 272-7579.

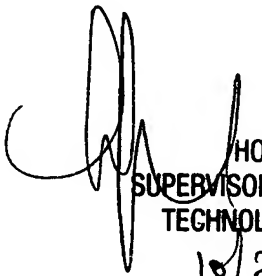
The fax number for the organization where this application or proceeding is assigned is (571) 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished application is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9191 (toll free).

Kim-Kwok CHU

Examiner AU2627  
October 12, 2007

(571) 272-7585

  
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SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600  
10/25/07